

PUBLIC NOTICE



Federal Communications Commission
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DA 03-3730

WIRELINE COMPETITION BUREAU SEEKS COMMENT ON THE PETITION OF PUBLIC SERVICE CELLULAR, INC. FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE STATE OF ALABAMA

PLEADING CYCLE ESTABLISHED

CC Docket No. 96-45

Release Date: November 20, 2003

Comment Date: 10 days from publication in Federal Register

Reply Comment Date: 24 days from publication in Federal Register

In this Notice, the Wireline Competition Bureau seeks comment on the September 12, 2003 petition filed by Public Service Cellular, Inc. (PSC) under section 214(e)(6) of the Communications Act of 1934, as amended, seeking designation as an eligible telecommunications carrier (ETC) to receive federal universal service support for those areas within its authorized service area in Alabama currently served by non-rural telephone companies.¹ Specifically, PSC contends that: (1) the Alabama Public Service Commission (Alabama Commission) has provided an affirmative statement that it does not regulate commercial mobile radio service (CMRS) carriers;² (2) PSC satisfies all the statutory and regulatory prerequisites for ETC designation;³ and (3) designating PSC as an ETC will serve the public interest.⁴ The Wireline Competition Bureau seeks comment on PCS's petition.

¹ 47 U.S.C. § 214(e)(6). See *Public Service Cellular, Inc. Petition for Designation as an Eligible Telecommunications Carrier in the State of Alabama*, filed September 12, 2003 (PSC Petition). PSC also filed an amendment to correct errors to Exhibit 3 of the PSC Petition. See *Public Service Cellular, Inc. Amendment to Petition*, filed September 16, 2003. PSC requests ETC designation in partial and complete wire centers served by BellSouth Telecommunications, Inc. and CenturyTel of Alabama, LLC within the State of Alabama. See PSC Petition at 2-3 and Exhibit 1.

² PSC Petition at 4-5.

³ *Id.* at 6-11.

⁴ *Id.* at 11-12.

PSC must provide copies of its petition to the Alabama Commission. The Commission will also send a copy of this Public Notice to the Alabama Commission by overnight express mail to ensure that the Alabama Commission is notified of the notice and comment period.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments on or before 10 days from publication of this Public Notice in the Federal Register, and reply comments on or before 24 days from publication of this Public Notice in the Federal Register.⁵ Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.⁶

Comments filed with the Commission through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.

Parties also must send three paper copies of their filing to Sheryl Todd, Telecommunications Access Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street S.W., Room 5-B540, Washington, DC 20554. In

⁵ 47 C.F.R. §§ 1.415, 1.419.

⁶ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998).

addition, commenters must send diskette copies to the Commission's copy contractor, Qualex International, 445 12th Street, S.W., Room CY-B402, Washington, DC 20054.

Pursuant to section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are permitted subject to disclosure.

For further information, contact Scott A. Mackoul, Telecommunications Access Policy Division, Wireline Competition Bureau at 202-418-7498 or Scott.Mackoul@fcc.gov. The TTY number is 202-418-0484.